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Attorneys for Defendants Race Winning Brands,
Inc., and Manley Performance Products, Inc.

DANIEL TELLER

Plaintiff,

v.

RACE WINNING BRANDS, INC., individually
and d/b/a MANLEY, and MANLEY
PERFORMANCE PRODUCTS, INC.

Defendants

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL ACTION NO.

CIVIL ACTION

NOTICE OF REMOVAL

Defendants Race Winning Brands, Inc. d/b/a Manley and Manley Performance Products, Inc. hereby files this Notice of Removal of the above-captioned action to the United States District Court for the District of New Jersey, from the SUPERIOR COURT OF NEW JERSEY, OCEAN COUNTY, where the action is now pending, as provided by Title 28, United States Code, Chapter 89, and state:

1. On August 3, 2021, a Complaint was filed in the SUPERIOR COURT OF NEW JERSEY, OCEAN COUNTY. The caption, entitled "Teller v. Race Winning Brands, Inc." was assigned Docket No. OCN-L-1989-21 (hereinafter "State Court Action").

2. Defendants received a copy of the Complaint setting forth the claim for relief upon which the action is based on or about August 5, 2021. Plaintiff is claiming discrimination, in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. Attached hereto

as **Exhibit A** are copies of all process, pleadings and orders served upon Defendants in the State Court Action, pursuant to 28 U.S.C. § 1446(a).

3. This Notice of Removal is filed within thirty (30) days of receipt by Defendant of the Complaint in the State Court Action. Thus, this Notice of Removal is filed in a timely manner as required by 28 U.S.C. § 1446(b).

4. The State Court Action is a civil action of which the District Courts of the United States have original jurisdiction for the reason that there exists complete diversity of the parties under 28 U.S. § 1332. In support of such, defendants state as follows: Upon information and belief, plaintiff Teller is a resident of New Jersey. Defendant Race Winning Brands, Inc., is a corporation, duly incorporated under the laws of Delaware with its principal place of business in Ohio. Defendant Manley Performance Products, Inc. is a corporation, duly incorporated under the laws of Delaware with its principal place of business in Ohio. Plaintiff further alleges he has suffered damages. Attorney's fees and costs are recoverable under the statute. Based upon counsel's experience with claims of this nature and for the types of damages sought herein, the claimed damages in this action exceed \$75,000.

4. This Notice of Removal is being filed in the District of New Jersey, the District Court of the United States for the district and division within which the State Court Action is pending, as required by 28 U.S.C. §§ 1446(a) and 1441(a).

5. Attached hereto as **Exhibit B** is a copy of the Notice to Clerk of Superior Court of Filing of Notice of Removal, the original of which is being filed with the SUPERIOR COURT OF NEW JERSEY, OCEAN COUNTY as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendants respectfully request that this action proceed in this Court as an action properly removed to it.

KIRMSER, LAMASTRA, CUNNINGHAM &
SKINNER

Attorneys for Defendants Race Winning Brands,
Inc., and Manley Performance Products, Inc.

Ellen M. Boyle

By: _____
Ellen M. Boyle

Dated: September 3, 2021